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CLERK'S OFFICE U.S. DIST. COURT

AT ABINGDON, VA

FILED

UNITED STATES DISTRICT COURT

for the
Western District of Virginia

OCT - 2 2013

JULIA C. DUDLEY, CLERK
BY: *Surge*
DEPUTY CLERK

In the Matter of the Search of
 (Briefly describe the property to be searched
 or identify the person by name and address)

CELLCO PARTNERSHIP, DBA
 VERIZON WIRELESS
 (540) 494-4146

Case No. 1:13-mj-292

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Cellco Partnership, dba Verizon Wireless Electronic Storage Databases

located in the WESTERN District of VIRGINIA, there is now concealed (identify the person or describe the property to be seized):

**** PLEASE SEE ATTACHMENT A ****

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

evidence of a crime;
 contraband, fruits of crime, or other items illegally possessed;
 property designed for use, intended for use, or used in committing a crime;
 a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

Offense Description

18 U. S. C. Section 3601 VIOLATIONS OF SUPERVISED RELEASE

The application is based on these facts:

**** PLEASE SEE ATTACHMENT B ****

Continued on the attached sheet.

Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

J. R. Sutterwhite II
Applicant's signature*J. R. Sutterwhite II - DUSA*
Printed name and title*Pamela M. Sargent*
Judge's signature

Honorable Pamela M. Sargent, USMJ

Printed name and title

Sworn to before me and signed in my presence.

Date: 10/2/13City and state: Abingdon, Virginia

ATTACHMENT (A)

Stored electronic records attached to cellular number (540) 494-4146 for the time period of September 26, 2013 through October 02, 2013, to include; subscriber information; billing information; call detail records; text message detail records; SMS (text) and MMS messaging **content**; per call measurement data; global positioning information; range to tower data (all columns).

ATTACHMENT (B)

I, James R. Satterwhite, III, a Deputy United States Marshal assigned to the Western District of Virginia, Abingdon Division, swear to the following statement to be true and accurate to the best of my knowledge.

I have been employed as a Deputy United States Marshal since October 2005. My duties as it pertains to this position include the location and apprehension of federal and state fugitives and the investigation of various crimes against the United States of America. During this time, I have extensive experience in locating and apprehending fugitives, as well as prosecuting criminal cases that result from fugitive investigations.

On February 15, 2013, an arrest warrant was issued for LYTLE, along with numerous others, in the Western District of Virginia, Abingdon Division, charging all with Counterfeiting Checks. The target was arrested on February 21, 2013, during an operation lead by the United States Secret Service and supported by the United States Marshals Service. After receiving bond on April 02, 2013, LYTLE was arrested on June 25, 2013, for violations of pretrial supervision. Subsequently, the target remained in federal custody until his sentencing on August 27, 2013, at which time he received credit for time served and ordered to complete three years of supervised release.

On September 09, 2013, an arrest warrant for Violations of Supervised Release was issued by the Western District of Virginia, Abingdon Division, for failure to report for case opening. After speaking with United States Probation, I made contact with LYTLE utilizing cellular number (540) 494-4146, as provided by the target to probation for contact purposes. After stating his failure to report for case opening as a "misunderstanding", LYTLE was provided a self-surrender date of September 13, 2013, but failed to report.

After verifying the cellular number (540) 494-4146 is provided service by Cellco Partnership, dba Verizon Wireless, an order was granted on September 17, 2013, by the Western District of Virginia, Abingdon Division, for detailed records, under Title 18, United States Code, Section 2703 (d). Upon receiving the requested data and with further inspection, it's apparent this device is being utilized in Kingsport, Tennessee, specifically in and around the targets home, located at 950 Dale Street. Further, this device is being used to make contact with associates of LYTLE, including prior calls made to United States Probation.

Utilizing data received from the previous search warrant recently obtained, the United States Marshals Service was able to verify address 6005 Lone Star Drive, Apt 2, Kingsport, Tennessee, as a place of interest. On September 27, 2013, after confirming this address as the home of the targets father, Dennis F. Lytle and girlfriend, Tracy C. Siglin, surveillance was conducted by our arrest team. Subsequently, Dennis Lytle exited his home and contact was made. During our conversation, he admitted to harboring, feeding, providing transportation and

money to the target but advised LYTLE left his home the night before. Further, Siglin, who was interviewed separately, admitted harboring LYTLE as well and eventually confirming his departure from their home the previous night. Both admitted knowing LYTLE to be a fugitive from justice, as well as his use of cellular device (540) 494-4146. During our investigation, the target was able to elude arrest.

Utilizing data received from the second search warrant also obtained in this district, we were able to confirm telephone contact between our target and Tony Davis Foreman. Having previously interviewed Foreman on September 27, 2013, when LYTLE fled from his home to avoid arrest, the United States Marshals Service was able to confirm subsequent contact between the two individuals per device. On October 01, 2013, Foreman was again interviewed at his home located at 329 Carver St., Kingsport, TN. Per information received from the Kingsport Police Department, Foreman was asked and confirmed LYTLE is his supplier of illegal narcotics. Again, he acknowledged the consequences of harboring or making false statements but noted he was in a "tough spot" and was unwilling to provide further information. Prior to the conclusion of this interview, Foreman did confirm LYTLE is in use of the noted device and is making daily contact with him per calls and text messages.

Due to the above-mentioned, it's my belief LYTLE is still utilizing said device, as well as associates and family in the Kingsport, Tennessee area to avoid arrest. The requested data noted in Attachment A would aid this investigation and hopefully lead to the arrest of fugitive LYTLE.

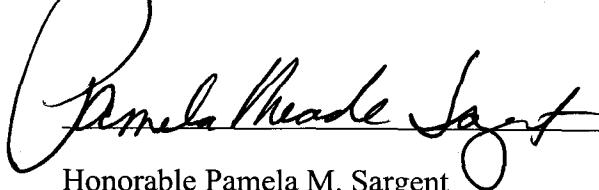
Based on the above stated facts, and upon my experience, training and education, it is my belief that there is probable cause to believe fugitive Emmanuel Jose LYTLE is utilizing said device.



James R. Satterwhite, III

Deputy United States Marshal

Sworn to before me and signed in my presence:



Honorable Pamela M. Sargent

United States Magistrate Judge

Oct. 2, 2013

Date / Time